

REMARKS

Introduction

Claims 1 – 7 were originally pending in the present application. Claims 1 and 4 - 7 were amended, and claims 8 - 10 were added via a preliminary amendment filed April 18, 2005. Claims 1 and 5 have been amended, and claims 4 and 6 – 10 have been cancelled herein. No new matter has been added. Accordingly, claims 1 – 3 and 5 are presently pending for consideration in this application.

Objections to the Drawings

The drawings have been objected to because they do not include reference numeral “16” to refer to the “trunk opening wall.” As such, the applicant has amended Figure 1 to add a numeral “16” to refer to the trunk opening 16 and a numeral “18” to refer to the wall 18 of the trunk opening 16. Support for these additions is found on page 3, lines 2 and 12 - 13 and page 4, line 10 of the present application. As such, no new matter has been added. In view of these amendments, the applicant respectfully requests that this objection be withdrawn.

Claim Objections

Claim 1 has been objected to because the Examiner considers the phrase “attachment to a walls of the trunk space” recited therein to be grammatically puzzling. As such, the applicant has amended claim 1 to correct the grammatical error. In view of this amendment, the applicant respectfully requests that this objection be withdrawn.

Claim Rejections

35 U.S.C. § 102

Claims 1 – 3 and 5 - 10 have been rejected under 35 U.S.C. § 102(b) as being anticipated by the Porkola ‘554 patent. Also, claims 1 and 3 - 5 have been rejected under 35 U.S.C. § 102(b) as being anticipated by the Moore ‘004 patent. A claim is said to be anticipated where each and every limitation of the claim can be found in a single prior-art reference. The applicant respectfully submits that the invention described in independent claim 1, as amended, and the claims dependent thereupon are neither disclosed nor suggested by the Porkola ‘554 or Moore ‘004 patent. (Claims 4 and 6 – 10 have been cancelled.) Accordingly, these rejections are respectfully traversed.

The Prior Art

The Porkola ‘554 Patent

The Porkola ‘554 patent discloses an apparatus for disposing of trash 10 including a receptacle portion 11 and a support portion 12. The support portion 12 consists of a frame 22 and a hanger 23. The hanger 23 is formed with two uprights 29, 30 culminating at their corresponding upper ends in hooks 31, 32, respectively. The frame 22 is bent from wire and combined with the receptacle portion 11, and the hanger 23 is combined with the frame 22 to form a support that is rigid and adapted to support weight on the frame 22 and receptacle portion 11 when the hanger is suspended from its hooks 31, 32 over, for example, an edge of a paneling on an inside of an automobile or an upper edge of a floor covering of the automobile under a cowling. The apparatus 10 hangs downwardly in its operative position and can be folded by moving the hanger 23 toward the frame 22. Then, the receptacle portion 11, which is flexible, can be wrapped around the support portion 12, forming a compact bundle.

However, the Porkola '554 patent fails to disclose or suggest a trunk space storage system including at least one hinge adapted for attachment to a corresponding wall of a trunk. The Porkola '554 patent also fails to disclose or suggest a trunk space storage system including a frame that can be rotated between a deployed position and a stowed position thereof. The Porkola '554 patent also fails to disclose or suggest a trunk space storage system including a frame that is expandable to increase storage space of a storage pouch of the system. The Porkola '554 patent also fails to disclose or suggest a trunk space storage system including a storage pouch that opens as a frame of the system moves away from a stowed position toward a deployed position thereof and bends and folds as the frame moves away from the deployed position toward the stowed position.

The Moore '004 Patent

The Moore '004 patent discloses a storage net 10 useful in a storage compartment 12 of a motor vehicle 14. The storage net 10 includes a storage area 18 having a front 20, a back 22, and two sides 24, the front 20 and back 22 being pivotally connected at one end 26. A mechanism 30, 34, 34' is included for providing a predetermined amount of longitudinal elasticity to the storage area 18. Further, the storage net 10 includes a mechanism 56, 58 for removably attaching the storage area 18 to a desired surface of the storage compartment 12.

However, the Moore '004 patent fails to disclose or suggest a trunk space storage system including a frame that can be rotated between a deployed position and a stowed position thereof. The Moore '004 patent also fails to disclose or suggest a trunk space storage system including a frame that rotates upward about a hinge of the device such that a storage pouch of the device opens as the frame moves away from a stowed position toward a deployed position thereof and rotates downward about the hinge such that the storage pouch bends and folds as the frame moves away from the deployed position toward the stowed position.

The Flip-Up Trunk-Space-Storage System of the Present Invention

In contrast to the related art, claim 1 of the present invention, as amended, discloses a trunk space storage system. The system includes at least one hinge adapted for attachment to a corresponding wall of the trunk. A frame is operatively mounted to the hinge such that the frame can be rotated between a deployed position and a stowed position. A storage pouch is supported by the frame. The frame is expandable to increase storage space of the storage pouch, rotates upward about the hinge such that the storage pouch opens as the frame moves away from the stowed position toward the deployed position, and rotates downward about the hinge such that the storage pouch bends and folds as the frame moves away from the deployed position toward the stowed position.

Argument

The applicant respectfully submits that the invention of claim 1, as amended, is not disclosed or suggested by the Porkola '554 patent. Specifically, the Porkola '554 patent merely discloses a receptacle combined with a support therefor for use in an automobile. However, the Porkola device fails to disclose or suggest at least one hinge adapted for attachment to a corresponding wall of a trunk, as claimed in amended claim 1. In the Porkola device, the hanger 23 is adapted for suspension over, for example, an edge of a paneling on an inside of the automobile or an upper edge of a floor covering of the automobile under a cowling, but the hanger 23 is not hingedly attached to the edge, as required by claim 1.

The Porkola device also fails to disclose or suggest a frame that can be rotated between a deployed position and a stowed position, as claimed in amended claim 1. In the Porkola device, the frame 22 is hingedly connected to the hanger 23, but the frame 22 cannot be rotated between a deployed position and a stowed position, as required by claim 1.

The Porkola device also fails to disclose or suggest a frame that is expandable to increase storage space of a storage pouch of the device, as claimed in amended claim 1. In the Porkola device, the frame 22 is combined with a receptacle portion 11, but the frame 22 is bent from wire and not expandable to increase storage space of the receptacle portion 11, as required by claim 1.

The Porkola device also fails to disclose or suggest a storage pouch that opens as a frame of the device moves away from a stowed position toward a deployed position thereof and bends and folds as the frame moves away from the deployed position toward the stowed position, as claimed in amended claim 1. In the Porkola device, the hanger 23 can move toward the frame 22, and the receptacle portion 11 is flexible and can be wrapped around the support portion 12, forming a compact bundle, but the receptacle portion 11 cannot open or bend and fold as the hanger 23 moves away from or toward, respectively, the frame 22, as required by claim 1.

Furthermore, the applicant respectfully submits that the invention of claim 1, as amended, is not disclosed or suggested by the Moore '004 patent. Specifically, the Moore '004 patent merely discloses a storage net mountable in a motor vehicle storage compartment.

However, like the Porkola patent, the Moore device fails to disclose or suggest a frame that can be rotated between a deployed position and a stowed position thereof, as claimed in amended claim 1. The Moore device includes a mechanism 30, 34, 34', but the mechanism 30, 34, 34' cannot be rotated between a deployed position and a stowed position thereof, as required by claim 1.

The Moore device also fails to disclose or suggest a frame that rotates upward about a hinge of the device such that a storage pouch of the device opens as the frame moves away from a stowed position toward a deployed position thereof and rotates downward about the hinge such that the storage pouch bends and folds as the frame moves away from the deployed position toward the stowed position. In the Moore device, the storage net 10 includes a mechanism 56, 58 for removably

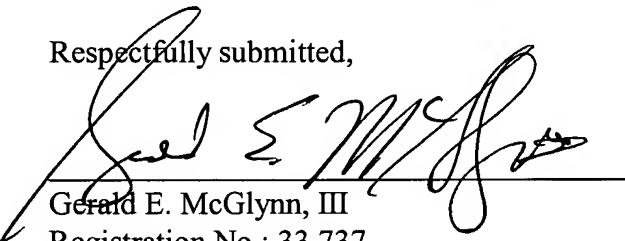
attaching the mechanism 30, 34, 34' to a desired surface of the storage compartment 12, but the mechanism 30, 34, 34' does not so rotate upward or downward, as required by claim 1.

Therefore, it is respectfully submitted that amended claim 1 is allowable over the rejections under 35 U.S.C. § 102(b). Each of claims 2, 3, and 5 is dependent upon amended claim 1 and adds perfecting limitations thereto. (Claims 4 and 6 – 10 have been cancelled.) Thus, the applicant respectfully submits that claims 2 – 3 and 5 are also allowable over the rejections under 35 U.S.C. § 102(b).

Conclusion

Independent claim 1, as amended, recites structure that is neither disclosed nor suggested by the prior art and is patentably distinguishable from the cited art discussed above. Claims 2, 3, and 5 are each ultimately dependent upon claim 1 and add perfecting limitations thereto. Accordingly, the applicant respectfully solicits allowance of the claims pending in the present application.

Respectfully submitted,



Gerald E. McGlynn, III

Registration No.: 33,737

Bliss McGlynn, P.C.

2075 West Big Beaver Road, Suite 600

Troy, Michigan 48084-3443

Phone: 248-649-6090

Fax: 248-649-6299

Email: gmcglynn@ipdirection.com

Date: October 5, 2006

Attorney Docket No.: 04537 (3883.00074)